

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

BARBARA LODER HILDEBRANDT,	:	
	:	
Plaintiff	:	
	:	CASE NO. C-1-02-0003
vs.	:	
	:	
HYATT CORPORATION, <i>et al.</i> ,	:	Judge Beckwith
	:	Magistrate Judge Black
	:	
Defendants	:	
	:	

**PLAINTIFFS' NOTICE THAT SHE WILL NOT
FILE A TRIAL BRIEF AT THIS TIME**

Defendants have filed a trial brief, which is primarily a rehash of the arguments they made in their summary motion, which have all been rejected by the Court. There is no need to waste the Court's time re-arguing these issues. Plaintiff relies on her response to the summary judgment motion and this Court's order finding that Plaintiff's prima facie case may go to the jury.

In addition, Defendants have submitted perfunctory arguments regarding damages issues. Plaintiff believes these arguments are premature, because damages issues are dictated by the facts submitted at trial, and it is not possible for the Court to rule on these issues before hearing the evidence. Plaintiff will be pleased to submit a brief on any of these issues if requested to do so by the Court.

Respectfully submitted,

s/Robert A. Steinberg

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Notice was served by electronic filing via the CM/ECF System to Theresa M. Gallion, Esq. and Nadine Abrahams, Esq. this 30th day of July, 2004.

s/Robert A. Steinberg

Robert A. Steinberg